IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

MONDAY, THE TWENTY FIRST DAY OF JUNE
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI DEVINDER GUPTA, THE CHIEF JUSTICE
and
THE HON'BLE Ms. JUSTICE G.ROHINI

WRIT APPEAL NO : 884 of 2004

(Writ Appeal under Clause 15 of the Letters Patent against the Modified Order dated 05/01/2004 in WPMP No. 34101 of 2003 in WPMP No. 32543/2003, dated: 19.12.2003 in WP NO : 25781 OF 2003 on the file of the High Court.)

Between:
S.Pulla Reddy, S/o.Suryanarayana Reddy,
R/o.Penugonda, Penugonda Mandal, W.G.Dist.

..... APPELLANT

(Writ Petitioner)

AND

1 The Govt. of A.P.,Rev(Endowments-IV)Dept. rep.by its prl.Secretary,Hyd.
2 The Commissioner of Endowments, Govt.of A.P., Tilak Road, Abids,Hyderabad.
3 The Regional Jt.Commissioner, Endowments Dept., Multi Zone-I, Hyderabad, now at Kakinada,E.G.Dist.
4 The Dy.Commissioner of Endowments, Kakinada, East Godavari Dist.
5 The Assistant Commissioner of Endowments, Eluru, West Godavari Dist.
6 Sri Nagareshwara Swamy Vasavi Kanyaka Parameswari Ammavari Devasthanam, Penugonda Town, W.G.Dist.
7 The President, Sri Penugodna Kshetra Arya Vysya Yuvajana Sangham, Penugonda, Penugonda Mandal, W.G.Dist.

.....RESPONDENTS

Counsel for Appellant: MR.G.KRISHNA MURTHY

Counsel for Respondents 1 to 5: GP FOR ENDOWMENTS
Counsel for Respondent No.7- Mr. P.Harinath Gupta
Counsel for Respondent No.6.-Ms. Indrani, S.C. for Temple.

The Court Made the Following :

ORAL JUDGMENT: (per The Honourable Sri Devinder Gupta, The Chief Justice)

Appellant is a devotee and has questioned the order passed by the Principal Secretary to Government, dated: 28.11.2003 in the Writ Petition, which is pending disposal. In the said Writ Petition, on 19.12.2003, an order was passed by the learned Single Judge that notwithstanding any subsequent proceedings pursuant to the impugned memo dated: 28.11.2003, it shall be open to seventh respondent to continue to carry on Nityannadanam service at the building in question. The appellant sought clarification of the said order, which was clarified by the learned Single Judge by order dated: 5.1.2004 directing that status quo as on 19.12.2003 shall continue to be maintained, and, notwithstanding any subsequent proceedings pursuant to the impugned Memo dated: 28.11.2003, it shall be open to the seventh respondent to continue to carry on with Nityannadanam service at the building in question.

Learned counsel for the appellant submits that possession of the building has already been taken over, and, therefore, in the garb of this order, the seventh respondent will take over the possession. The submission of the learned counsel for the appellant is refuted by the learned counsel for seventh respondent. As a matter of fact, order

dated: 28.11.2003 is in question in the Writ Petition, which is pending, and we cannot go into other questions, since learned Single Judge rightly directed that Nityannadhanam service being conducted by the seventh respondent shall continue to be carried on notwithstanding the orders passed pursuant to the proceedings dated: 28.11.2003.

The Writ Appeal, therefore, is dismissed. No costs.

DEPUTY REGISTRAR

//TRUE COPY//

SECTION OFFICER.

VR

To

1 The Govt. of A.P.,Rev(Endowments-IV)Dept. rep.by its prl.Secretary,Hyd.
2 The Commissioner of Endowments, Govt.of A.P., Tilak Road, Abids,Hyderabad.
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8. Two CCs to Govt. Pleader, High Court Bldgs., Hyderabad.
9. Two CD copies.